

Message Text

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FM SECSTATE WASHDC
TO AMEMBASSY SAN SALVADOR IMMEDIATE

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FOR THE AMBASSADOR FROM LUERS, ACTING

E.O. 11652: N/A

TAGS: SHUM, ES

SUBJECT: HUMAN RIGHTS HEARINGS ON EL SALVADOR

REF: (A) STATE 043646 (B) STATE 043612

THE FOLLOWING QUESTIONS HAVE BEEN GIVEN INFORMALLY IN ADVANCE TO THE DEPARTMENT AS THE ONES CONGRESSMAN FRASER INTENDS TO RAISE IN THE SCHEDULED MARCH 9 HEARING ON EL SALVADOR. WE EXPECT A REQUEST THAT WRITTEN RESPONSES BE PROVIDED 48 HOURS BEFORE THE HEARINGS. ALTHOUGH WE DO NOT KNOW WHAT FORMAT MAY EVOLVE (I.E. PUBLIC OR CLOSED TESTIMONY), IT IS IMPORTANT TO PROVIDE ALL HARD INFORMATION AVAILABLE THROUGH APPROPRIATE REGULAR CONTACTS NOT ALREADY REPORTED. WE WOULD ALSO APPRECIATE YOUR INDICATION OF WHAT IMPLICATIONS FOR BILATERAL RELATIONS YOU WOULD FORESEE

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IF SUCH ANSWERS OR PORTIONS OF ANSWERS WERE TO BE PROVIDED IN A PUBLIC SESSION.

1. DOES THE EL SALVADOR CONSTITUTION PROVIDE FOR A REPRESENTATIVE DEMOCRACY WITH FREE AND GENUINE ELECTIONS CONSISTENT WITH ARTICLE 21 OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS?

2. ARE THERE GUARANTEES AND SAFEGUARDS IN THE CONSTITUTION

BY LAW TO PREVENT FRAUDULENT ELECTIONS?

3. WERE THESE GUARANTEES AND SAFEGUARDS OBSERVED BY THE
GOES?

(4 THROUGH 8 REFER TO ALLEGATIONS BY THE OPPOSITION, E.G.
VIOLATION OF ELECTORAL LAWS).

4. IT IS ALLEGED THAT DURING THE LAST FIVE YEARS, THE
GOVERNMENT HAS REDISTRIBUTED POLLING PLACES TO MAKE
VOTING MORE ACCESSIBLE TO THOSE AREAS WHERE THE GOVERNMENT
HAS GREATER CONTROL (MOVES FROM TOWN TO VILLAGES?) AND
HAS MADE POLLING PLACES LESS ACCESSIBLE FOR AREAS WHERE
GOVERNMENT HAS LESS CONTROL AND IS LESS POPULAR.

5. IT IS ALLEGED THAT ELECTORAL LISTS HAVE BEEN ALTERED
TO ALLOW PERSONS, POPULAR WITH GOVERNMENT, TO VOTE MORE
THAN ONCE AND TO INCLUDE ON LISTS NON-VOTERS AND DEAD
PERSONS.

6. IT IS ALLEGED THAT THE OPPOSITION CANDIDATE WAS PRE-
VENTED FROM CAMPAIGNING IN RURAL AREAS.

7. IT IS ALLEGED THAT IT WAS MADE DIFFICULT FOR OPPOSI-
TION TO HAVE USE OF MEDIA (TELEVISION, RADIO, ETC.), THAT
ADVERTISING WAS CENSORED AND THAT ADVERTISEMENTS WERE RE-
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FUSED OR THE PRICES RAISED.

8. ON ELECTION DAY, THE OPPOSITION CHARGES THAT THE
GOVERNMENT COMMITTED THE FOLLOWING BREACHES OF THE ELEC-
TION LAW.

A. HARRASSMENT AND EXPULSION OF OVER 1,000 OPPOSITION POLL
WATCHERS.

B. WIDESPREAD STUFFING OF BALLOTT BOXES.

C. INTENTIONAL DELAY AT POLLING BOOTHS (UP TO FIVE HOURS).

D. DOUBLE VOTING.

9. NEED A FULL ACCOUNT OF THE RESPONSES OF THE ELECTORATE
TO THE ELECTION RESULTS, PROTESTS, STRIKES, ETC. HOW
WIDESPREAD IS DISSATISFACTION AND WHAT RESPONSE IS THE
GOVERNMENT MAKING TO DISSATISFACTION?

10. WHAT EFFECT WOULD UNPOPULAR ELECTION HAVE ON THE
RIGHTS OF THE INDIVIDUAL, ESPECIALLY FUNDAMENTAL RIGHTS

CONCERNING PHYSICAL INTEGRITY OF THE INDIVIDUAL -
SPECIFICALLY MENTIONED IN THE HR SECTION (502.B OF THE
FOREIGN ASSISTANCE ACT).

11. WHAT IMPLICATIONS, IF ANY, ON THE CONDUCT OF U.S.
ASSISTANCE POLICIES?
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